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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,355	02/26/2002	Shuichi Hisatomi	P	2758
909	7590	10/03/2006	290735/T4YK-01S0958-1	
PILLSBURY WINTHROP SHAW PITTMAN, LLP			EXAMINER	
P.O. BOX 10500			WENDMAGEGN, GIRUMSEW	
MCLEAN, VA 22102			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 10/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/082,355		HISATOMI ET AL.	
	Examiner		Art Unit	
	Girumsew Wendmagegn		2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>08/02/2004, 04/25/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim1 and 8 are objected to because of the following informalities: The term " The second aspect ratio" in the 1st and 8th claims lacks antecedent basis. Appropriate correction is required.

For the purpose of compact prosecution, the examiner interprets the term as " a second aspect ratio".

Claim2 and 9 are objected to because of the following informalities: the term "correspond" in claims 2 and 9 should be changed to " corresponding".

For the purpose of compact prosecution, the examiner interprets the term as " corresponding".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Asada et al. (US 6,272,286).

Regarding claim1 Asada et al. anticipate an information processing apparatus for recording and playback video information, said apparatus comprising: means for assembling video packs, using a first signal including first aspect ratio information (see column18 line 19-24); means for assembling video object unit to be contained in a second signal, using the video packs (see column18 lines 24-28); and means for processing the content of the second aspect ratio information of the second signal according to the content of the first aspect ratio information(Fig. 12)

Regarding claim2, The apparatus according to claim1, wherein said processing means makes coincidence the contents of second aspect ratio information with corresponding to contents of said first aspect ratio information (see Fig. 12).

Regarding claim3, The apparatus according to claim1, wherein said processing means makes coincidence the contents of said first aspect ratio information with said second aspect ratio information in a same aspect ratio by the video object unit (see column20 lines 6-14).

Regarding claim4, the apparatus according to claim1, wherein said information processing data format defines a video object formed by assembling a plurality of video object units and also attribute information of the video object

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(see Fig.3), said attribute information containing third aspect ratio information (Column12 lines 28-35); said processing means for making a majority decision on the aspect ratio, using the second aspect ratio information contained in each unit control pack contained in one of the video object, and for specifying said aspect ratio of the third aspect ratio information on the basis of the majority decision(see column20 lines 9-16).

Regarding claim5, Asada et al. anticipates the apparatus according to claim1, wherein compressed video data in the pack conforming to the MPEG standards (see column17 lines 62-64).

Regarding claim6, Asada et al. anticipates the apparatus according to claim 5, wherein a format of said second signal defines an audio pack containing audio data, and a video object unit contains audio packs (see column18 24-28)

Regarding claim7, Asada et al. anticipates the apparatus according to claim1, wherein said a format of said second signal defines a video object formed by assembling video object units (see column6 line 36-38); and said apparatus further comprises: a recording means for recording video objects on hard disk or an optical disk (see column7 lines 13-18).

Regarding claim8, Asada et al. anticipates an information processing method for recording and playback video information; assembling video packs,

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using a first signal including first aspect ratio information (see column18 line 19-24); assembling video object unit to be contained in a second signal, using the video packs (see column18 lines 24-28); processing the content of the second aspect ratio information of the second signal according to the content of the first aspect ratio information (Fig. 12).

Regarding claim9, Asada et al. anticipates the method according to claim8, wherein the processing step including step of: making coincidence the contents of said second aspect ratio information with corresponding contents of said first aspect ratio information (see Figure 12).

Regarding claim10, Asada et al. anticipates the method according to claim 8, wherein the processing step including step of; making coincidence the contents of said first aspect ratio information with said second aspect ratio information in a same aspect ratio by the video object unit (see column20 lines 6-14).

Regarding claim11, Asada anticipates the method according to claim8, wherein a format of said second signal defines a video object formed by assembling a plurality of video object units and also attribute information of the video object (see Fig.3), said attribute information containing third aspect ratio information (Column12 lines 28-35); the processing step including steps of: making a majority decision on the aspect ratio, using the second aspect ratio

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information contained in each unit control pack contained in one of the video object; and specifying the aspect ratio of said third aspect ratio information on the basis of the majority decision (see column20 lines 9-16).

Regarding claim12, Asada anticipates the method according to claim 8, wherein the video packs assembling step including step of: compressing video data by a method conforming to the MPEG Standards (see column17 lines 62-64).

Regarding claim13, Asada et al anticipates the method according to claim 12, wherein a format said second signal defines an audio pack containing audio data (column17 line11-13); the video object unit assembling step including step of: inserting audio packs in the video object unit (see column18 24-28).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Girumsew Wendmagegn whose telephone number is 571-270-1118. The examiner can normally be reached on 7:30-5:00, M-F, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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